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UNITED STATES DEPARTMENT OF AGRICULTURE
Food Distribution Administration
Washington, D. C.

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APR 21 1943
March 2, 1943

U. S. DEPARTMENT OF AGRICULTURE

DIRECTOR'S MEMORANDUM NO. 46

Allocation of Fuel Oil to Food Plants Under
Petroleum Distribution Order No. 3

Petroleum Distribution Order No. 3, issued by the Petroleum Administrator for War, is being administered jointly with the War Production Board out of the New York City office of that agency, at the Chanin Building.

Petroleum Distribution Order No. 3 restricts the use of fuel oil to heating and hot water purposes, but provides that industrial users may apply for additional quantities of fuel oil if the operation is listed under Schedule A.

Schedule A lists various types of industries which are eligible for additional quantities of fuel oil; and Section 2.00 provides that food industries shall be so eligible, the industry being defined as "Facilities for Agricultural, Commercial, and Industrial Food Production, Food Processing, and Food Preservation, Except Restaurants, Hotels, and Retail Stores".

We have assigned Mr. Harry E. Beardsworth in the office of the Regional Administrator to work with the War Production Board and Petroleum Administrator for War representatives in handling appeals for additional fuel oil from food plants. All Branches have been requested to designate a representative with whom Mr. Beardsworth may communicate on special problems involving the jurisdiction of a particular Branch.

While it is obviously impossible to establish detailed rules and regulations on this matter, all Food Distribution Administration representatives should be guided by the understanding that it is not the purpose of the Food Distribution Administration to insist on additional quantities of fuel oil except for essential food purposes.

As a general rule, items such as potato chips, fancy candies, and other luxury foods such as hors d'oeuvre, etc. are not to be approved for additional quantities of fuel oil.

It is apparent that under circumstances where additional necessary oil is being refused to industries important to public health, such as laundries, etc., there cannot be justified any claim for fuel oil under the powers of the Food Distribution Administration for luxury purposes.

(Continued)

It should be emphasized that determinations should be made in accordance with the facts in each particular case because there may be circumstances justifying exemptions, as for example, in case of a candy plant in which more than 50 per cent of production is devoted to army rations.

In case of doubt, Mr. Beardsworth will communicate with the representative of the Branch affected for determination of our decision and in case of dispute, the issue will be referred to the Director for determination.

Roy F. Hendrickson

Director

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